

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kenji TAIMA et al

Serial No.: 09/409,894

Atty. Docket No.: 107355-09023

Filed: October 1, 1999

For: IMAGE INFORMATION PRESENTATION SYSTEM, IMAGE INFORMATION  
PRESENTATION METHOD, MEDIUM STORING IMAGE INFORMATION  
PRESENTATION SYSTEM PROGRAM, AND SIGNAL THEREFOR

RENEWED PETITION UNDER 37 C.F.R. 1.137(b)

**Mail Stop PETITION**

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

June 16, 2008

Sir:

In response to the Decision on Petition to Revive Unintentional Abandonment under 37 C.F.R. 1.137(b) dated April 16, 2008, Applicants respectfully request that the Examiner reconsider his decision dismissing the Petition to Revive based upon unintentional abandonment in view of the attached materials and the following remarks.

It should be noted that contrary to the statement in the last full paragraph on page 1 of the Decision, the undersigned did in fact make the statement that the entire delay was unintentional in the Petition filed May 31, 2007.

The facts to support petitioner's statement that the abandonment was unintentional are as follows:

1. On or about May 22, 2001, the undersigned submitted by e-mail a spreadsheet listing all cases which were to be associated with Customer Number 004372 and in which the undersigned's address was to be changed. Attached as Exhibit A is page 18 of this spreadsheet where the subject application is listed. The undersigned's new address and Customer Number Record change was of record under Customer Number 004372 as of January 31, 2001, a copy of the Notice of Customer Number Record Change is attached as Exhibit B.

2. An Amendment in response to the Office Action dated July 18, 2001, was filed on November 19, 2001. Attached hereto as Exhibit C is a copy of the Amendment along with a copy of the stamped postcard receipt.
3. Receiving no response from the Patent and Trademark Office to Item #2, the Examiner handling the subject application was contacted by telephone around July 15, 2002. At that time it was discovered that the subject application had become abandoned for failure to pay the Issue Fee which was due on April 2, 2002.
4. On September 10, 2002, a Petition to Withdraw the Holding of Abandonment based upon non-receipt of the Notice of Allowance was filed. Attached hereto as Exhibit D is a copy of the Petition to Withdraw the Holding of Abandonment along with a copy of the stamped postcard receipt.
5. Receiving no response to the Petition to Withdraw the Holding of Abandonment filed September 10, 2002, on March 22, 2004, another Petition to Withdraw the Holding of Abandonment was filed. Attached as Exhibit E is a copy of the Petition to Withdraw the Holding of Abandonment along with a copy of the stamped postcard receipt.
6. Still receiving no response to either Items #4 and #5 and not being able to access the application through Private PAIR, on November 2, 2006, another Change of Correspondence Address was filed via facsimile. Attached hereto as Exhibit F is a copy of the Change of Correspondence Address with facsimile transmission sheet and the transmission acknowledgement sheet.
7. Still not being able to access the application through Private PAIR, on December 18, 2006, another Change of Correspondence Address was filed via facsimile. Attached hereto as Exhibit G is a copy of the Change of Correspondence Address with facsimile transmission sheet and the transmission acknowledgement sheet.
8. Still not receiving a response to Items #4 or #5 from the Patent and Trademark Office, a Petition to Revive Unintentional Abandonment, the Issue Fee and replacement drawings were filed on May 31, 2007.

Applicants hereby submit that the abandonment of the above-identified application resulted from the Patent and Trademark Office's failure to mail the Notice of

Allowance to the correct address. Since the failure to file a response to the Notice of Allowance resulted from a Patent and Trademark Office error, it is respectfully submitted that the revival of the subject application based upon unintentional abandonment is proper.

The abandonment of the above-identified application on April 2, 2002, resulted from Applicants' failure to pay the Issue Fee. It is respectfully submitted that the Applicants did not pay the Issue Fee because Applicants never received the Notice of Allowance. Applicants' attorneys have made a careful search of the entire file jacket for the subject application and the Notice of Allowance was not present. A review of the docket records also indicate that the Notice of Allowance was never received.

As indicated in Item #1, the undersigned submitted by e-mail on or about May 22, 2001, a spreadsheet listing applications for which the undersigned's address was to be changed. Upon submission of the change of address, the Patent and Trademark Office should have changed the mailing address for the above-identified application.

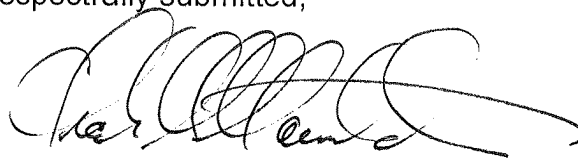
With regard to the delay in filing the first Petition to Withdraw the Holding of Abandonment, in previous years it was not unusual that the Patent and Trademark Office would take a considerable amount of time before issuing further actions after the filing of a document, and there was no manner in which the records of the Patent and Trademark Office could be accessed to check.

Based upon the facts set forth above, the undersigned submits that there were good-faith attempts made in advising the Patent and Trademark Office of the undersigned's new address and by the fact that two Petitions to Withdraw the Holding of Abandonment were filed, however the unresponsiveness on the part of the Patent and Trademark Office contributed to the delay in filing the Petition to Revive based upon unintentional abandonment.

As required in the Decision, attached hereto is a Declaration for Renewed Petition to Revive Unintentionally Abandoned Patent Application by Charles M. Marmelstein, the person who was primarily responsible for the application at Nikaido, Marmelstein, Murray & Oram, and who is still primarily responsible for this application. Mr. Marmelstein has knowledge of the circumstances surrounding the unintentional abandonment of the subject application.

In the event that any fees are due with respect to this paper, please charge our Deposit Account No. 01-2300, referencing Atty. Docket No. 107355-09023.

Respectfully submitted,



Charles M. Marmelstein  
Reg. No. 25,895

Customer No.: 004372  
Arent Fox LLP  
1050 Connecticut Avenue, N.W.  
Suite 400  
Washington, D. C. 20036-5339  
Tel (202) 857-6000  
Fax (202) 638-4810

CMM:mmg

Encls:

- Exhibit A    Page 18 of Spreadsheet submitted with e-mail communication for change of name and address
- Exhibit B    Notification of Customer Number Record Change dated January 31, 2001
- Exhibit C    Amendment filed on November 19, 2001, w/stamped postcard receipt
- Exhibit D    Petition to Withdraw the Holding of Abandonment w/Exhibits A - C filed on September 10, 2002, w/stamped postcard receipt
- Exhibit E    Petition to Withdraw the Holding of Abandonment w/Exhibit A filed on March 22, 2004, w/stamped postcard receipt
- Exhibit F    Change of Correspondence Address sent via facsimile on November 2, 2006, w/facsimile sent acknowledgement sheet
- Exhibit G    Change of Correspondence Address sent via facsimile on December 18, 2006, w/facsimile sent acknowledgement sheet

Declaration for Renewed Petition to Revive Unintentionally Abandoned Patent Application by Charles M. Marmelstein, w/Exhibits A and B

Drosos, Margaret

From: Drosos, Margaret  
Sent: Tuesday, May 29, 2001 2:45 PM  
To: 'Stacy.Fuller@USPTO.GOV'  
Subject: RE: Error Report for Customer Number 04372

OK Sorry for the error.

-----Original Message-----

From: Stacy.Fuller@USPTO.GOV [mailto:Stacy.Fuller@USPTO.GOV]  
Sent: Tuesday, May 29, 2001 2:18 PM  
To: DrososM@ARENTFOX.COM  
Subject: RE: Error Report for Customer Number 04372

Thank you for your response. Unfortunately we asked that you email me the list of applications/patents that you DO NOT wish to be associated with your customer number and that you not delete any applications from the spreadsheet. I have to go to your original spreadsheet and remove the applications that you do not wish to be associated. Please resend the error report with these applications clearly noted.

Thank you for your assistance.

Stacy

> -----Original Message-----

> From: DrososM@ARENTFOX.COM [SMTP:DrososM@ARENTFOX.COM]  
> Sent: Tuesday, May 29, 2001 2:15 PM  
> To: Stacy.Fuller@USPTO.GOV  
> Subject: RE: Error Report for Customer Number 04372

>  
> I have edited your error report so as to only included those applications  
> for Nikaido, Marmelstein, Murray & Oram. This firm at Metropolitan Square  
> merged with Arent Fox at the 1050 Connecticut Ave. address last year.  
> Thank  
> you for your attention to this. We have had several PTO papers returned  
> to  
> the PTO by Post Office, even though we have a current change of address on  
> file.

>  
> Margaret P. Drosos  
> Director of IP Administration  
> Arent Fox Kintner Plotkin & Kahn, PLLC  
> 202 857-6463  
> Drososm@arentfox.com

> -----Original Message-----

> From: Stacy.Fuller@USPTO.GOV [mailto:Stacy.Fuller@USPTO.GOV]  
> Sent: Tuesday, May 22, 2001 1:10 PM  
> To: DrososM@ARENTFOX.COM  
> Subject: Error Report for Customer Number 04372

>  
> I have received your spreadsheet to associate your applications/patents  
> with  
> your customer number, and there are just a few more questions. There are  
> a  
> few files that are currently going to a different address for  
> correspondence  
> and we just have to do a little preventative maintenance to be absolutely

EXHIBIT

A

> sure that you do, in fact, want to update these files to your customer  
> number.  
>  
> Please take a look at the attached spreadsheet, which lists the  
> "questionable" applications. Once you have verified whether or not you  
> wish  
> to associate these applications/patents with your customer number, please  
> mark them as such on the attached spreadsheet (i.e., yes/no) and email it  
> back to me, or simply email me the list of applications/patents that you  
> DO  
> NOT wish to be associated with your customer number. Please DO NOT delete  
> any applications from the spreadsheet.  
>  
> If there are NO changes to be made, you can just email me back to let me  
> know that it is ok to associated all files with your customer number.  
>  
> <<04372Cusno\_Error(1).xls>>  
> << File: Error Report.xls >>

09457734	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
09426760	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 15TH STREET NW WASHINGTON DC
09396437	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
09391507	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE SUITE 330 G STREET LOBBY WASHINGTON DC
09678381	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 FIFTEENTH STREET SUITE 330 WASHINGTON DC
09348243	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 FIFTEENTH STREET N W WASHINGTON DC
09346920	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 FIFTEENTH STREET N W WASHINGTON DC
09310197	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 FIFTEENTH STREET N W WASHINGTON DC
09432114	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 FIFTEENTH STREET N W WASHINGTON DC
09265570	NIKAIDO MARMELSTEIN MURRAY 7 ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
09084315	NIKAIDO MARMELSTEIN MURRAY AND ORAM	METROPOLITAN SQUARE 655 15TH STREET NW WASHINGTON DC
09355946	NIKAIDO MARMELSTEIN MURRAY AND ORAM	METROPOLITAN SQUARE 655 FIFTEENTH SQUARE NW WASHINGTON DC
09059387	NIKAIDO MARMELSTEIN MURRAY AND ORAM	METROPOLITAN SQUARE SUITE 330 G STREET LOBBY WASHINGTON DC
09380583	NIKAIDO MARMELSTEIN MURRAY AND ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
09460417	NIKAIDO MARMELSTEIN MURRAY AND ORAM LLP	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW SUITE 330 WASHINGTON DC
09443720	NIKAIDO MARMELSTEIN MURRAY & ORAM LLP	METROPOLITAN SQUARE 655 15TH STREET N W WASHINGTON DC
09481571	Nikaído, Marmelstein, Murray & Oram LLP	Metropolitan Square 655 Fifteenth Street, N.W. Washington DC
09511365	Nikaído, Marmelstein, Murray & Oram LLP	Metropolitan Square 655 Fifteenth Street, N.W. Washington DC
09613278	ROBERT B MURRAY	ARENT FOX KINTNER PLOTKIN & KAHN PLLC 1050 CONNECTICUT AVENUE NW WASHINGTON DC
09414551	CHARLES M MARMELSTEIN	METROPOLITAN SQUARE 655 15TH STREET N W WASHINGTON DC
08849528	NIKAIDO MARMELSTEIN MURRAY & ORAM	METROPOLITAN SQUARE 655 15TH STREET N W WASHINGTON DC
09251423	NIKAIDO MARMELSTEIN MURRAY & ORAM	METROPOLITAN SQUARE SUITE 330 G STREET LOBBY WASHINGTON DC
09424838	NIKAIDO MARMELSTEIN MURRAY & ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
09403772	NIKAIDO MARMELSTEIN MURRAY & ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
09341698	NIKAIDO MARMELSTEIN MURRAY & ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
09424839	NIKAIDO MARMELSTEIN MURRAY & ORAM	METROPOLITAN SQUARE 655 15TH STREET NW WASHINGTON DC
09266870	NIKAIDO MARMELSTEIN MURRAY & ORAM	METROPOLITAN SQUARE 655 15TH STREET N W WASHINGTON DC
09409894	NIKAIDO MARMELSTEIN MURRAY & ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET N W WASHINGTON DC
09244776	NIKAIDO MARMELSTEIN MURRAY & ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET N W WASHINGTON DC
08983135	NIKAIDO MARMELSTEIN MURRAY & ORAM	METROPOLITAN SQUARE 655 15TH STREET NW WASHINGTON DC
08919795	NIKAIDO MARMELSTEIN MURRAY & ORAM	METROPOLITAN SQUARE 655 15TH STREET N W SUITE 330 WASHINGTON DC
08822152	NIKAIDO MARMELSTEIN MURRAY & ORAM	METROPOLITAN SQUARE 655 15TH STREET N W WASHINGTON DC
09319948	NIKAIDO MARMELSTEIN MURRAY & ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
09526749	NIKAIDO MARMELSTEIN MURRAY & ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW WASHINGTON DC
09786337	NIKAIDO MARMELSTEIN MURRAY & ORAM	METROPOLITAN SQUARE SUITE 330 G STREET LOBBY WASHINGTON DC
09459885	NIKAIDO MARMELSTEIN MURRAY & ORAM	PATRICK D MUJR 655 FIFTEENTH STREET N W WASHINGTON DC
09674522	NIKAIDO MARMELSTEIN MURRAY & ORAM	METROPOLITAN SQUARE 655 FIFTEENTH STREET NW SUITE 330 WASHINGTON DC



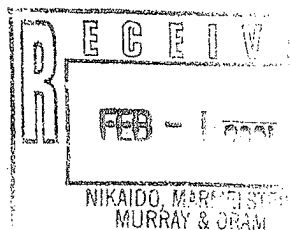
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

CUSTOMER  
NUMBER: 004372

CORRESPONDENCE  
ADDRESS:

ARENT FOX KINTNER PLOTKIN & KAHN  
1050 CONNECTICUT AVENUE, N.W.  
SUITE 600  
WASHINGTON, DC 20036



FAX: 202-857-6395

PHONE: 202-857-6400

E-MAIL:

Date Mailed: 01/31/2001

**NOTICE OF CUSTOMER NUMBER RECORD CHANGE**

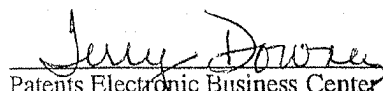
The request to change the information associated with the above-identified Customer Number has been accepted by the Commissioner of Patents and Trademarks.

The Customer Number may be used to identify the correspondence address or "fee address" for, and/or the appointed practitioner(s) in, a United States patent application or patent. The correspondence address and registration numbers indicated on this notice reflect the current correspondence address and registration numbers associated with the above-identified Customer Number.

**PRACTITIONER REGISTRATION NUMBER(S) ASSIGNED TO THAT CUSTOMER NUMBER:**

22663, 22980, 25895, 27931, 29211, 33125, 34794, 37351  
39107, 43437, 44275, 45273, 46338, 47271.

*A copy of this notice MUST be returned with the reply.*

  
Patents Electronic Business Center  
(703) 305-3028

PART 1 - ATTORNEY/APPLICANT COPY

EXHIBIT B



Patent ☒ Trademark ☐ Docket No. 107355-09023  
Serial No. 09/409,894 Filed October 1, 1999  
Applicant(s) TAIWA et al.  
Papers filed herewith on November 19, 2001  
☒ Fees \$ 110.00 ☐ Assignment  
☐ New Application ☐ Declaration  
☒ Amendment ☐ Priority Document  
☐ Notice of Appeal ☒ Req. for Ext. of Time (imo.)  
☐ IDS/PTO-1449 ☒ Drawings  
☒ Other Req. for Approval of Drawing Corrections

Receipt is hereby acknowledged of the papers filed as indicated in connection with the above-identified case.

COMMISSIONER OF PATENTS

EXHIBIT

C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

TAIMA et al.

Art Unit: 2672

Application No. 09/409,894

Examiner: T. Havan

Filed: October 1, 1999

Atty. Docket No. 107355-09023

For: IMAGE INFORMATION PRESENTATION SYSTEM, IMAGE INFORMATION PRESENTATION METHOD, MEDIUM STORAGE IMAGE INFORMATION PRESENTATION SYSTEM PROGRAM, AND SIGNAL THEREFOR

**PETITION FOR EXTENSION OF TIME**

Commissioner for Patents  
Washington, D.C. 20231

November 19, 2001

Dear Sir:

Applicants petition the Commissioner for Patents to extend the time for response to the Office Action dated July 18, 2001, for one (1) month from October 18, 2001 to November 19, 2001 (November 18, 2001 being a Sunday).

Enclosed please find a check in the amount of One Hundred Ten Dollars (\$110.00) to cover the cost of the extension. In the event that any additional fees are required with respect to this paper, please charge Counsel's Deposit Account No. 01-2300.

Respectfully submitted,

ARENT FOX KINTNER PLOTKIN & KAHN PLLC



Dinna J. Doster  
Attorney for Applicants  
Registration No. 45,268

Customer No. 004372  
1050 Connecticut Ave. NW  
Suite 400  
Washington, D.C. 20036-5339  
tel: (202) 857-6147  
fax: (202) 638-4810  
DJD:ksm

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

TAIMA et al.

Art Unit: 2672

Application No. 09/409,894

Examiner: T. Havan

Filed: October 1, 1999

Atty. Docket No. 107355-09023

For: IMAGE INFORMATION PRESENTATION SYSTEM, IMAGE INFORMATION PRESENTATION METHOD, MEDIUM STORAGE IMAGE INFORMATION PRESENTATION SYSTEM PROGRAM, AND SIGNAL THEREFOR

**AMENDMENT UNDER 37 C.F.R. § 1.111**

Commissioner for Patents  
Washington, D.C. 20231

November 19, 2001

Sir:

In response to the Office Action dated July 18, 2001, the period for response being extended to November 19, 2001 (November 18, 2001 being a Sunday) by the Petition for Extension of Time filed herewith, please amend the above-identified application as follows:

**IN THE SPECIFICATION**

Please delete pages 49-55 of the specification.

**IN THE DRAWINGS:**

Please amend Figs. 1-20 as shown in the attached Request for Approval of Drawing Corrections.

**REMARKS**

Applicants thank the Examiner for the courtesy of a telephone interview conducted on September 6, 2001.

The Office Action dated July 18, 2001, has been received and carefully noted. The

above amendments and the following remarks are submitted as a full and complete Response thereto. Therefore, Applicants request reconsideration and allowance of the application of the application. On page 5 of the Office Action, the Examiner has indicated that claims 1-4 have been allowed. Applicants wishes to thank the Examiner for this indication of allowable subject matter. Thus, claims 1-16 are pending in the application. No new matter has been added.

I. SPECIFICATION

The Office Action objected to the specification because pages 49-55 included a listing of the reference elements corresponding to the elements shown in Figures 1-20. The Office Action requested that Applicants include the information contained on pages 49-55 into the figures.

As requested by the Office Action, Applicants have incorporated the information listed on pages 49-55 into Figs. 1-20. Applicants have also deleted pages 49-55 from the specification. Therefore, Applicants respectfully request the withdrawal of this objection.

II. DRAWINGS

The Office Action requested that new drawings be submitted since text written on the drawings was not in English. The Office Action also indicated that the Applicants were given a two-month response period to submit the new drawings.

However, Applicants' representative contacted the Examiner on September 6, 2001 to inquire about the discrepancy between the due date for the submission of the new drawings being set for a two-month time period and the due date to respond to the Office

Action being set for a three-month time period. To resolve the conflict between the two different response periods, the Examiner agreed to provide Applicants with three months to submit the new drawings, without incurring any extension fees. The Examiner also indicated that, in order to put the drawings in condition so that the application could be properly examined, the Applicants only need to submit informal drawings with the submission of this Response.

Pursuant to the Examiner's request, Applicants have amended Fig. 1-20 to include the information contained on pages 49-55 of the originally filed application and to edit the text of the drawings to be in English. Therefore, Applicants respectfully request the withdrawal of the objection to the drawings. Upon approval of the attached Request for Approval of Drawing Corrections, formal drawings will be timely filed.

### III. CLAIM REJECTIONS UNDER 35 USC § 103

Claims 5-16 were rejected under 35 USC § 103(a) as being unpatentable over Niblack (U.S. Patent No. 6,181,342 ) in view of Fraser (U.S. Patent 5,729,252).

Although the Office Action admitted that Niblack does not explicitly teach the concept of a still image and a moving image as recited in the claims 5, 12, 14, and 15 of the invention, the Office Action alleged that Niblack inherently teaches these features because Niblack discusses photographic images which may be still images and video images which may be moving images. In addition, the Office Action relies upon the teachings of Fraser to attempt to further bolster the deficiencies of Niblack. Applicants respectfully disagree with the analysis and the conclusion asserted in the Office Action.

Claim 5 of the invention recites an image information presentation system which

includes a material storage means, a material listing means, an image specification means, and a presentation preparation means. The material storage means stores listing image information of a still image and a moving image. The material listing means lists the image information in the material storage means on a display means. The image specification means enables specification of more than one piece of image information listed on the display means. The presentation preparation means reads all images specified with the image specification means in a batch into templates having related pages of a template as one page into which images are inserted for preparing an image information presentation document.

Claim 12 of the invention recites an image presentation method comprising the first step of listing from material storage means for storing image information including a still image and a moving image. The second step includes specifying more than one piece of the image information listed at the first step with image specification means. The third step of claim 12 includes reading all image information specified at the second step in a batch into templates having related pages of a template as one page into which the images are inserted and preparing an image information presentation document by presentation preparation means.

Claim 14 recites a computer data signal embedded in a carrier wave for executing an image information presentation system. The computer data signal is for executing the following steps. The first step includes the process of listing from material storage means for storing image information including a still image and a moving image, the image information on display means. The second step includes specifying more than one piece of the image information listed at the first step with an image means specification. The

third step includes reading all image information specified at the second step in batch into templates having related pages of a template as one page into which the images are inserted and preparing an image information presentation document by presentation preparation means.

Claim 15 recites a medium storing an image information presentation system program for executing the following steps. The first step includes the process of listing from material storage means for storing image information including a still image and a moving image, the image information on display means. The second step includes specifying more than one piece of the image information listed at the first step with an image means specification. The third step includes reading all image information specified at the second step in batch into templates having related pages of a template as one page into which the images are inserted and preparing an image information presentation document by presentation preparation means.

As a result of the claimed configurations and methods, an image presentation system is provided having pages which are related to each other in a hierarchical structure so that the pages can be easily edited.

Applicants respectfully submit that the cited references fail to teach or suggest the claimed features of the invention as required to render the invention obvious, and thereby fails to provide the critical and non-obvious advantages which are provided by the claimed invention.

Niblack discloses a computer file directory system that displays visual summaries of visual data in order to identify the content of the document stored on a desktop computer. Niblack states that the visual data may include images, graphs, charts, spreadsheets,

slides, Web pages, and word processing data with embedded images, and videos. (Niblack, col. 3, lines 9-11). The computer of Niblack also includes computer readable code means for generating a respective visual summary of the visual data, such as thumbnails for images or filmstrips, animated images, or storyboards for video data. Computer readable code means are provided for receiving a user's request for a listing of documents stored on the computer. Niblack alleges that, in response to a user's request, the computer readable code means present a display including a listing of the visual summaries. To generate the visual summary for any image documents (i.e., image file or a video file), Niblack creates "a single thumbnail" of the image as the visual summary of the underlying visual data contained in the file. (Niblack, col. 7, lines 5-10 and lines 46 - 50). The thumbnail is merely a small still image representation of the visual data.

Fraser teaches a multimedia program editing system and method for interposing stored images into a moving video within a multimedia computer program. Prior to the beginning of a multimedia presentation, a digital image of each visual aid that will be displayed upon the projection screen is stored within an image memory. Each stored image is indexed with a particular identifying code enabling the multimedia processor to selectively retrieve the data representing an image according to its associated identifying code. The digital images of the visual aids may be obtained by optical scanning, capturing a high-resolution image with a video camera or directly importing files representing computer-generated graphics. (Fraser, col. 2, lines 16 - 25).

In Fraser, as the presentation being made by an individual progresses, an image is projected upon the projection screen. If, during the presentation, the camera encounters a projected bar code, the image processor detects and recognizes the pattern of the bar



code within the signal received from the camera. In response, the multimedia processor retrieves from the image memory the previously stored image corresponding to the recognized identifier code. This retrieved image is then inserted into the digital record of the presentation being compiled by multimedia processor in lieu of the images directly received from the video camera by the multimedia processor. In essence, Fraser discloses a system and method by which a multimedia record of a live event can be augmented with previously stored visual aids. Fraser also discloses a possible modification to its invention, which may include retrieving full motion video sequences in response to detecting and recognizing an image identifier, and substituting the retrieved video sequences for the live video being captured by a video camera.

To establish a prima facie case of obviousness, the prior art reference (or references when combined) must teach or suggest all of the claimed limitations. There must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. The teaching or suggestion to make the claimed combination must be found in the prior art, and not be based on Applicants' disclosure. See, M.P.E.P. §§ 2143.01 and 2143.03.

Although both Niblack and Fraser disclose the concept of video images, it is respectfully submitted that the application of the video images in each reference teaches away from the combination as suggested in the Office Action. Thus, it is respectfully submitted that no motivation exists to combine Niblack and Fraser because it would be necessary to make significant modifications, not taught or suggest in Niblack, in order to combine the references in the manner suggested by the Office Action. For instance,

Niblack states the underlying visual data may include a video. However, the visual summary of the visual data is merely a single image of the underlying visual data. In order to display the visual summaries of Niblack, Niblack creates a single thumbnail as still image to summarize the underlying visual data. Thus, the purpose of Niblack is to only disclose a single thumbnail which corresponds to a portion or a segment of the underlying visual data.

Niblack specifically defines that "a visual summary is a digital image . . . with the visual summaries containing a fraction of the information in the parental visual data." (Niblack, col. 5, line 66 - col. 6, line 3). In comparison, Fraser relates to storing a digital image into a memory device and incorporating the entire stored digital image into an oncoming live presentation. In order for Niblack to display a moving image, Niblack would need to teach or suggest at least the concept of generating a sequence of multiple data images and having the capability of recording and playing back this sequence as a thumbnail. However, Niblack is void of such a teaching or suggestion.

Thus, the suggested combination of references would require a substantial reconstruction and redesign of the elements shown in Niblack (the primary reference) as well as a change in the basic principle under which the Niblack's construction was designed to operate. Namely, the basic principle of Niblack is to provide a visual summary, which represents only a fraction of the information contained in the parental visual data, and is not to provide a replay of the entire image. To modify Niblack to include the necessary equipment to display moving images would require a substantial redesign which is not taught or suggested by Niblack. This is evidence of an improper rejection under 35 U.S.C. § 103. In re Raitti, 270 F.2d 810, 123 USPQ 349 (CCPA 1959). Thus, it would not have been obvious to one of ordinary skill in the art to modify Niblack with Fraser to render

the claimed invention obvious since the proposed modification would change the principle operation of Niblack.

In sum, Niblack and Fraser fail to teach or suggest claim 5 of the invention because it would not have been obvious to one of ordinary skill in the art to combine and modify the cited references to render an image information presentation system which includes a material storage means, a material listing means, an image specification means, and a presentation preparation means, wherein the material storage means stores listing image information of a still image and a moving image, as recited in claim 5.

In addition, claims 6-12 depend from claim 5, and are therefore allowable at least for the reasons claim 5 is allowable and for the specific limitations recited therein.

Furthermore, Niblack and Fraser fail to teach or suggest claim 12 of the invention because it would not have been obvious to one of ordinary skill in the art to combine or modify the cited references to render an image presentation method comprising a first step of listing from material storage means for storing image information including a still image and a moving image, a second step of specifying more than one piece of the image information listed at the first step with image specification means, and a third step of reading all image information specified at the second step in a batch into templates having related pages of a template as one page into which the images are inserted and preparing an image information presentation document by presentation preparation means.

In addition, claim 13 depends from claim 12, and is therefore allowable at least for the reasons claim 12 is allowable and for the specific limitations recited therein.

Likewise, Niblack and Fraser also fail to teach or suggest claim 14 of the invention because it would not have been obvious to one of ordinary skill in the art to combine or

modify the cited references to render a computer data signal embedded in a carrier wave for executing an image information presentation system, wherein the computer data signal is for executing a first step of listing from material storage means for storing image information including a still image and a moving image, the image information on display means; a second step of specifying more than one piece of the image information listed at the first step with an image means specification, and a third step of reading all image information specified at the second step in batch into templates having related pages of a template as one page into which the images are inserted and preparing an image information presentation document by presentation preparation means.

Niblack and Fraser also fail to teach or suggest claim 15 of the invention because the motivation does not exist within the cited references to render obvious a medium storing an image information presentation system program for executing a first step of listing from material storage means for storing image information including a still image and a moving image, the image information on display means, a second step of specifying more than one piece of the image information listed at the first step with an image means specification, and a third step of reading all image information specified at the second step in batch into templates having related pages of a template as one page into which the images are inserted and preparing an image information presentation document by presentation preparation means.

In addition, claim 16 depends from claim 15, and is therefore allowable at least for the reasons claim 15 is allowable and for the specific limitations recited therein.

For at least these reasons, Applicants respectfully submit that claims 1-16 are patentable over the cited references.

IV. ALLOWED CLAIMS

Applicants again wish to thank the Examiner for his indication of the allowance of claims 1-4.

V. CONCLUSION

The Office Action has failed to establish a prima facie case of obviousness for purposes of a rejection of claims 5-16 under 35 U.S.C. § 103 because there is no motivation to combine the cited references. For at least the above reasons, Applicants respectfully submit that claims 1-16 are patentable over the combination of Niblack and Fraser.

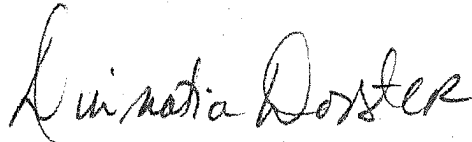
Claims 1-16 are pending in the application. Claims 1-4 have been allowed. Accordingly, Applicants respectfully request the allowance of claims 5-16 and the prompt issuance of a Notice of Allowability.

Having addressed each of the foregoing rejections or objections, it is respectfully submitted that this application is now in condition for allowance. Notice to that effect is respectfully requested. In the event that the Examiner believes that a telephone conference would expedite allowance of the application, the Examiner is invited to telephone the undersigned with any suggestions leading to the allowance of the application.

In the event this paper is not considered to be timely filed, Applicants respectfully petition for an appropriate extension of time. The Commissioner is authorized to charge payment for any additional fees which may be required with respect to this paper to Counsel's Deposit Account 01-2300.

Respectfully submitted,

Arent Fox Kintner Plotkin & Kahn, PLLC

A handwritten signature in black ink, appearing to read "Dinnatia J. Doster". The signature is fluid and cursive, with the first name being the most prominent.

Dinnatia J. Doster  
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DJD:ksm

Enclosures: Request for Approval of Drawing Corrections  
Petition for Extension of Time (one month)

**Attorney Docket No.** 107355-09023

**Application No.:** 09/409,894

**Filed:** October 10, 1999 **Applicants:** Kenti TAIMA et al.

**Title:** IMAGE INFORMATION PRESENTATION SYSTEM, IMAGE INFORMATION PRESENTATION METHOD, MEDIUM STORING IMAGE INFORMATION PRESENTATION SYSTEM PROGRAM AND SIGNAL THEREFOR

**Papers filed herewith on:** September 10, 2002

**The following papers are attached:**

Petition to Withdraw the Holding of Abandonment

Exhibits A....A copy of computer docket dated 7/1/02

Exhibit B.... A Notice of Allowance dated 7/15/02

Exhibit C.... Notification of Change of Name and Address



**COMMISSIONER OF PATENTS**

**CMM/lw**

EXHIBIT

D

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

KENTI TAIMA

Art Unit: 2672

Application No.: 09/409,894

Examiner: Havan, Thu Thao

Filed 10/10/1999

Attorney Docket No.: P7355-9023

For: IMAGE INFORMATION PRESENTATION SYSTEM, IMAGE INFORMATION  
PRESENTATION METHOD, MEDIUM STORING IMAGE INFORMATION  
PRESENTATION SYSTEM PROGRAM AND SIGNAL THEREFOR

**PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT**

Attn: Office of Petitions  
Commissioner for Patents  
BOX DAC  
Washington, D. C. 20231

Date: September 10, 2002

Sir:

Applicant hereby petition to withdraw the holding of abandonment of the above-identified patent application. A Notice of Abandonment has been received indicating that the application was abandoned for failure to timely pay the required Issue Fee within the statutory three months from the mailing date of the Notice of Allowance dated April 1, 2002.

Applicants respectfully submit that the Notice of Allowance was never received by Applicant's Representative. A search of the file jacket and the docket records indicate that the Notice of Allowance was never received. Submitted herewith is Exhibit A which is a copy of our computer docket sheet for July 1, 2002 which would have included an entry for the Issue Fee being due if the Notice of Allowance had been received. Our firm's typical mail handling procedure is for all mail to be docketed as soon as it is received.



Also submitted herewith as Exhibit B is a copy of the Notice of Allowance which was sent to the undersigned by facsimile on July 15, 2002. It is noted that the Notice of Allowance was mailed to Applicant's previous address.

Exhibit C attached hereto is an e-mail from the office of the undersigned to the U.S. Patent and Trademark Office which changes the undersigned's address for all of the listed cases. The above-identified application is listed on page 15.

In view of the evidence submitted herewith showing that the Notice of Allowance was not received by Applicant's Representative prior to the expiration of the statutory period for the payment of the Issue Fee and that the Notice of Allowance was not mailed to the address of record as of April 1, 2002, it is respectfully submitted that the abandonment of the application is improper. Therefore, it is respectfully requested that the abandonment of the application be withdrawn and a new Notice of Allowance be sent to the undersigned.

In the event that any fees are due with respect to this paper, please charge our Deposit Account No. 01-2300.

Respectfully submitted,  
**SIGNATURE ON ORIGINAL**

Charles M. Marmelstein  
Attorney for the Applicant  
Registration No. 25,895

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CMM/lw

Enclosures:

Computer Docket of July 1, 2002  
Notification of Change of Name and Address

## Prosecution History

Case Number	Sub Case	Country	Attorney Due	Date	Reason for Date/ Indicator	Action Type	Application Number	Filing Date	Status
00102-00003	US	RBM	01-Jul-2002	N/ACCEPTANCE	Reminder	US-N/ACCEPTANCE	10111396%6093	03-May-2002	Pending
					Remarks: PCT/IP00/07676 F. 11/1/00				
					Date Taken: 08-Jul-2002				
0102-00003	US	RBM	01-Jul-2002	FILING RECEIPT REC'D!	Reminder	US-OFFICIAL FILING RECEIPT	10111396%6093	03-May-2002	Pending
					Remarks: PCT/IP00/07676 F. 11/1/00				
					Date Taken: 08-Jul-2002				
021712-00003	US	RJH	01-Jul-2002	SEND LETTER	Due Date	ALLOWANCE LETTR	09658116%2905	08-Sep-2000	Pending
					Date Taken: 08-Jul-2002				
022817-00015	US	LDA	01-Jul-2002	STATUS-CON/DIV (1 Day prior)	Final	US-ISSUE NOTIFICATION	09725219%6366	29-Nov-2000	Granted
					Date Taken: 01-Jul-2002				
022972-00024	US	CDB	01-Jul-2002	POA GRANTED!	Reminder	US-POA GRANTED	09619065%2111	19-Jul-2000	Pending
					Remarks: Projected date for first examination is 3 to 6 months from 7/31/02				
					Date Taken: 01-Jul-2002				
023349-00227	US	HJC	01-Jul-2002	RESPONSE DUE - 1 EXT	Due Date	US-3 MON. ACTION	09897984%2467	05-Jul-2001	Published
					Resp. Sent Date: 31-Jul-2002	Date Taken: 01-Jul-2002			
023349-00237	US	GEO	01-Jul-2002	RESPONSE DUE - 1 EXT	Due Date	US-3 MON. ACTION	09617802%9149	17-Jul-2000	Pending
					Remarks: Clt ltr 2/4/02 received revocation and POA 2/6/02				
					Resp. Sent Date: 01-Aug-2002	Date Taken: 01-Jul-2002			

EXHIBIT A

## Prosecution History

Case Number	Sub Case	Country	Attorney	Date Due	Reason for Date/ Indicator	Action Type	Application Number	Filing Date	Status
023460-00001	US	RJH		01-Jul-2002	N/APPEAL W/EXT-1 Due Date	US-NOT. OF APPEAL Remarks: FILED PET TO MAKE SPECIAL 5-18-01 Date Taken: 31-May-2002 5/18/01 HAS BEEN GRANTED	09594786%1228	16-Jun-2000	Pending
223460-00001	US	RJH		01-Jul-2002	FINAL AMENDMENT W/EXT-1 Due Date	US-FINAL OA (3MO) Remarks: FILED PET TO MAKE SPECIAL 5-18-01 Resp. Sent Date: 31-May-2002 Date Taken: 31-May-2002 5/18/01 HAS BEEN GRANTED	09594786%1228	16-Jun-2000	Pending
024118-00027	US	RBM		01-Jul-2002	RESPONSE DUE Due Date	US-3 MON. ACTION Remarks: PCT/FR98/01824 F. 8/20/98 Date Taken: 01-Jul-2002	09486314	25-Feb-2000	Pending
024808-00007	US	CMM		01-Jul-2002	FILING RECEIPT REC'D! Reminder	US-OFFICIAL FILING RECEIPT Date Taken: 18-Jul-2002	10157119%4697	30-May-2002	Pending
07362-6002	US	GEO		01-Jul-2002	MAINT FEE- GRACE PERIOD (2MO) Reminder	US-MAINT FEE- GRACE PERIOD Remarks: per email dtd 8/30/02 from CDS, CPA to pay Date Taken: 01-Jul-2002	08/780009	23-Dec-1996	Granted
08415-3039	US	RKC		01-Jul-2002	RESPONSE DUE - 1 EXT Due Date	US-3 MON. ACTION Remarks: Resp. Sent Date: 07-May-2002 Date Taken: 01-Jul-2002	08513865%2603	04-Dec-1995	Published



## Prosecution History

Case Number	Sub Case	Country	Attorney Due	Date	Reason for Date/ Indicator	Action Type	Application Number	Filing Date	Status
100186-8031	US	LDA	01-Jul-2002	RMDR-RESP DUE (IMO)	US-3 MON. ACTION	09169962%6286	13-Oct-1998	Pending	
				Reminder					
				Resp. Sent Date: 03-Sep-2002 Date Taken: 01-Jul-2002					
00186-9003	US	CMM	01-Jul-2002	DECISION ON PETITION DECISION OF (GRANTED)	PETITION (GRANTED)	09241732%9106	02-Feb-1999	Granted	
				Reminder		Remarks: 6/13/02 - fld fee address form electing Ladas & Parry			
					Date Taken: 03-Jul-2002				
100353-00026	US	RJH	01-Jul-2002	RESPONSE DUE W/EXT 3	US-1 MON. (RESTRICTION)	09717296%2080	22-Nov-2000	Pending	
				Due Date					
				Resp. Sent Date: 25-Mar-2002 Date Taken: 25-Mar-2002					
100353-00036	US	RJH	01-Jul-2002	RESPONSE DUE W/EXT 4	US-1 MON. (RESTRICTION)	09772074%8184	30-Jan-2001	Granted	
				Due Date		Remarks: 9/5/02 - filed fee address form electing CPA to pay mfees			
					Date Taken: 28-Feb-2002				
100353-00058	US	RJH	01-Jul-2002	STATUS-CON/DIV (1 Day prior) Final	US-ISSUE NOTIFICATION	09817201%4423	27-Mar-2001	Granted	
					Date Taken: 01-Jul-2002				
100353-00061	US	CDB	01-Jul-2002	RESPONSE DUE - 1 EXT	US-3 MON. ACTION	09859489%4547	18-May-2001	Allowed	
				Due Date		Remarks: 2000-158336 F. 5/29/00			
				Resp. Sent Date: 03-Jun-2002 Date Taken: 03-Jun-2002					
100353-8024	US	RJH	01-Jul-2002	N/APPEAL W/EXT-1	US-NOT. OF APPEAL	09083091%3558	22-May-1998	Pending	
				Due Date					
					Date Taken: 01-Jul-2002				



## Prosecution History

Case Number	Sub Case	Country	Attorney Due	Date	Reason for Date/ Indicator	Action Type	Application Number	Filing Date	Status
100581-08004	US	RBM	01-Jul-2002	01-Jul-2002	SEND LETTER Due Date	ALLOWANCE LETTR	08137092%2680 Remarks: OLD REF: P2025-3009 7/1/02 - per RBm dkt, the new number is 100581-08004, old number is 108129-5012 Date Taken: 26-Jun-2002	26-Oct-1993	Allowed
10725-00059	US	LAB	01-Jul-2002	01-Jul-2002	RESPONSE DUE - 1 EXT Due Date	US-3 MON. ACTION	09983226%9048 Remarks: Clt ltr 10/22/01 received declaration and assignment Date Taken: 03-Jun-2002	23-Oct-2001	Published
101154-00011	US	CMM	01-Jul-2002	01-Jul-2002	FILE APPLICATION Due Date	FILE APPLICATION (10DAYS) Date Taken: 27-Jun-2002	10149445%5859 Remarks: PCT/JP01/10575 F. 12/4/01	27-Jun-2002	Pending
101173-00005	US	MO	01-Jul-2002	01-Jul-2002	RMDR-FINAL AMEND DUE (1MO) Reminder Date Taken: 26-Jun-2002	US-FINAL OA (3MO)	09675012%8652 Remarks: REQ FOR STATUS FILED 11/13/01--	29-Sep-2000	Allowed
101175-00007	US	LAB	01-Jul-2002	01-Jul-2002	STATUS-CON/DIV (1 Day prior) Final Date Taken: 01-Jul-2002	US-ISSUE NOTIFICATION	09/689710 Remarks: JP 2000-112474 fld 4/13/00	13-Oct-2000	Granted
101190-00029	US	GEO	01-Jul-2002	01-Jul-2002	FILING RECEIPT REC'D! Reminder Date Taken: 01-Jul-2002	US-FILING RECEIPT	10157849%5180	31-May-2002	Pending
103120-6006	US	GEO	01-Jul-2002	01-Jul-2002	MAINT FEE- GRACE PERIOD (2MO) Reminder Date Taken: 01-Jul-2002	US-MAINT FEE- GRACE PERIOD	08/748915 Remarks: DIV OF 08/432021 per email dtd 8/30/02 from CDS, CPA to pay	13-Nov-1996	Issued





## Prosecution History

Case Number	Sub Case	Country	Attorney	Date Due	Reason for Date/ Indicator	Action Type	Application Number	Filing Date	Status
107156-00109	US	GEO		01-Jul-2002	NOTICE OF RECORDATION DTD Reminder	US-N/RECORDATION	10132169%1152	26-Apr-2002	Pending
						Remarks: Recordation date: 4/26/02 reel/frame: 012840/0941			
						Date Taken: 01-Jul-2002			
107156-00118	US	GEO		01-Jul-2002	FILING RECEIPT REC'D! Reminder	US-OFFICIAL FILING RECEIPT	10157125%4679	30-May-2002	Pending
						Date Taken: 01-Jul-2002			
107156-9037	US	CDB		01-Jul-2002	SUPPLEMENTAL AMENDMENT Reminder	US-SUPPLEMENTAL AMENDMENT	09348239%4931	06-Jul-1999	Published
						Remarks: FULL PUBLICATION: US-2001-0011497-A1			
						Date Taken: 01-Jul-2002			
107156-9063	US	JAK		01-Jul-2002	RESPONSE DUE - 1 EXT Due Date	US-3 MON. ACTION	09455906%5727	07-Dec-1999	Pending
						Resp. Sent Date: 31-May-2002 Date Taken: 31-May-2002			
107156-9064	US	CDB		01-Jul-2002	RESPONSE DUE - 2 EXT Due Date	US-3 MON. ACTION	09457348%7576	09-Dec-1999	Pending
						Resp. Sent Date: 01-May-2002 Date Taken: 01-May-2002			
107254-7002	US	DDB		01-Jul-2002	MAINT FEE- GRACE PERIOD (2MO) Reminder	US-MAINT FEE- GRACE PERIOD	08/786311	21-Jan-1997	Granted
						Remarks: per email dtd 8/30/02 from CDS, CPA to pay			
						Date Taken: 01-Jul-2002			
107311-9008	US	MO		01-Jul-2002	STATUS-CON/DIV (1 Day prior) Final	US-ISSUE NOTIFICATION	09310197%8480	12-May-1999	Granted
						Date Taken: 01-Jul-2002			

## Prosecution History

Case Number	Sub Case	Country	Attorney	Date Due	Reason for Date/ Indicator	Action Type	Application Number	Filing Date	Status
107314-8003	US	LDA		01-Jul-2002	SEND LETTER Due Date	ALLOWANCE LETTR	09081862%2031	21-May-1998	Pending
							Remarks: 5/17/02 - recd clt instructs to proceed with amend		
97317-00015	US	CMM		01-Jul-2002	STATUS-FILE CON/DIV?	US- ALLOWANCE/ALLOW ABILITY	09676769%1365	02-Oct-2000	Granted
					Due Date		Remarks: FEE INDICATION FORM FILED 8/16/02 (CPA)		
					Resp. Sent Date: 24-May-2002	Date Taken: 01-Jul-2002			
107318-00000	US	RJH		01-Jul-2002	RESPONSE DUE Due Date	US-3 MON. ACTION	09813866%6213	22-Mar-2001	Pending
					Resp. Sent Date: 01-Aug-2002	Date Taken: 01-Jul-2002	Remarks: 199979/1995; FILED 8/4/95 199980/1995; FILED 8/4/95 199981/1995; FILED 8/4/95 199982/1995; FILED 8/4/95		
							5/17/02 - recd clt instructs to file IDS		
107336-00008	US	CDB		01-Jul-2002	SEND LETTER Due Date	ANALYSIS LETTER	09668297%1933	25-Sep-2000	Pending
						Date Taken: 02-Aug-2002			
07336-00020	US	CMM		01-Jul-2002	SEND LETTER Due Date	ALLOWANCE LETTR	09794087%3280	28-Feb-2001	Allowed
						Date Taken: 11-Jul-2002			
107337-00018	US	CMM		01-Jul-2002	NOTICE OF RECORDATION DTD Reminder	US-N/RECORDATION	10133322%2099	29-Apr-2002	Pending
						Date Taken: 08-Jul-2002			

## Prosecution History

Case Number	Sub Case	Country	Attorney	Date Due	Reason for Date/ Indicator	Action Type	Application Number	Filing Date	Status
107348-00034	US	MO		01-Jul-2002	INTERVIEW SUMMARY REC'D Due Date	US-INTERVIEW SUMMARY  Date Taken: 03-Jul-2002	09658115%2903	08-Sep-2000	Pending
107348-00035	US	BAT		01-Jul-2002	STATUS-CON/DIV (1 Day prior) Final	US-ISSUE NOTIFICATION  Date Taken: 01-Jul-2002	09635273%5013	09-Aug-2000	Granted
107348-00053	US	CMM		01-Jul-2002	FAX-ISSUE FEE Reminder	US-ALLOWANCE (NO DRWGS)  Date Taken: 01-Jul-2002	09647932%6909	16-Oct-2000	Granted
107348-00108	US	CMM		01-Jul-2002	SEND LETTER Due Date	Resp. Sent Date: 02-Jul-2002 Date Taken: 01-Jul-2002	09903872%9628 Remarks: 2000-328410 F. 10/23/00	13-Jul-2001	Allowed
107348-00121	US	CMM		01-Jul-2002	SEND LETTER Due Date	ALLOWANCE LETTR Date Taken: 25-Jun-2002	09911372%5090 Remarks: 2000-231369; FILED 7/26/00	25-Jul-2001	Allowed
107348-00140	US	CMM		01-Jul-2002	SEND LETTER Due Date	ALLOWANCE LETTR Date Taken: 25-Jun-2002	09933129%4938	21-Aug-2001	Allowed
107348-00175	US	LDA		01-Jul-2002	RESPONSE DUE Due Date	US-3 MON. ACTION Resp. Sent Date: 01-Aug-2002 Date Taken: 01-Jul-2002	09995672%9921 Remarks: recordation date 2/05/02 reel/frame: 012553/0704	29-Nov-2001	Published

## Prosecution History

Case Number	Sub Case	Country	Attorney	Date Due	Reason for Date/ Indicator	Action Type	Application Number	Filing Date	Status
107348-8089	US	MO		01-Jul-2002	STATUS-CON/DIV? Due Date	US-ALLOWANCE (NO DRWGS)	09249861%1412	16-Feb-1999	Granted
					Resp. Sent Date: 20-Jun-2002	Date Taken: 01-Jul-2002	Remarks: CPA RESPONSIBLE FOR MFEES		
107348-8089	US	MO		01-Jul-2002	ISSUE FEE FINAL Final	US-ALLOWANCE (NO DRWGS)	09249861%1412	16-Feb-1999	Granted
					Resp. Sent Date: 20-Jun-2002	Date Taken: 20-Jun-2002	Remarks: CPA RESPONSIBLE FOR MFEES		
107355-00015	US	MO		01-Jul-2002	RESPONSE DUE - 1 EXT Due Date	US-3 MON. ACTION	09654526%6027	01-Sep-2000	Allowed
					Resp. Sent Date: 21-May-2002	Date Taken: 21-May-2002			
107400-00009	US	JAK		01-Jul-2002	STATUS-ISSUE NOTIFICATION Due Date	US-ALLOWANCE (NO DRWGS)	09654068%5960	01-Sep-2000	Granted
					Resp. Sent Date: 01-May-2002	Date Taken: 05-Jun-2002			
107400-00029	US	RJH		01-Jul-2002	SEND LETTER Due Date	ALLOWANCE LETTR	09864275%1248	25-May-2001	Allowed
							Remarks: 2000-190320 FILED 6/23/00 (JP)		
						Date Taken: 21-Jun-2002			
107439-00068	US	CMM		01-Jul-2002	FILING RECEIPT REC'D! Reminder	US-OFFICIAL FILING RECEIPT	10157124%4680	30-May-2002	Pending
						Date Taken: 08-Jul-2002			
108066-00015	US	CMM		01-Jul-2002	FAX-ISSUE FEE Reminder	US-ALLOWANCE (NO DRWGS)	09688941%9959	17-Oct-2000	Granted
					Resp. Sent Date: 02-Jul-2002	Date Taken: 01-Jul-2002			







## Prosecution History

Case Number	Sub Case	Country	Attorney	Date Due	Reason for Date/ Indicator	Action Type	Application Number	Filing Date	Status
108421-00029	US	CMM		01-Jul-2002	RESP/MISSING PART (2EXT) Due Date	US-MISSING REQ. (2MO)	10009729%5987	31-Jan-2002	Pending
					<b>Remarks:</b> PCT/JP00/03959 F. 6/16/00 <b>Resp. Sent Date:</b> 13-Mar-2002 <b>Date Taken:</b> 13-Mar-2002 11/238159 F. 8/25/99 11/266909 F. 9/21/99 11/266910 F. 9/21/99 Filed declaration and assignment 1/31/02 Cltr ltr 7/9/02 received English translation of IPER				
108907-9005	US	HJC		01-Jul-2002	RMDR-FINAL AMEND DUE (1MO) Reminder	US-FINAL OA (3MO)	09269729%1499	02-Apr-1999	Pending
					<b>Resp. Sent Date:</b> 24-Jul-2002 <b>Date Taken:</b> 01-Jul-2002				
108910-00008	US	LAB		01-Jul-2002	RMDR-FINAL AMEND DUE (1MO) Reminder	US-FINAL OA (3MO)	09588625%8747	07-Jun-2000	Pending
					<b>Date Taken:</b> 01-Jul-2002				
108910-00011	US	HJC		01-Jul-2002	RMDR-FINAL AMEND DUE (1MO) Reminder	US-FINAL OA (3MO)	09612286%8395	07-Jul-2000	Pending
					<b>Resp. Sent Date:</b> 30-Jul-2002 <b>Date Taken:</b> 01-Jul-2002				
108910-00015	US	DDD		01-Jul-2002	DECISION ON PETITION (GRANTED) Reminder	DECISION OF PETITION (GRANTED)	09631879%8911	02-Aug-2000	Pending
					<b>Date Taken:</b> 08-Jul-2002				
108910-00016	US	HJC		01-Jul-2002	STATUS-ISSUE NOTIFICATION Due Date	US-ALLOWANCE (NO DRWGS)	09631880%8912	02-Aug-2000	Granted
					<b>Resp. Sent Date:</b> 01-May-2002 <b>Date Taken:</b> 04-Jun-2002				





## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20591  
www.uspto.gov

## NOTICE OF ALLOWANCE AND FEE(S) DUE

7590 12/31/2001  
NIKAIDO MARMELSTEIN MURRAY & ORAM  
METROPOLITAN SQUARE  
635 FIFTEENTH STREET N W  
SUITE 330-G STREET LOBBY  
WASHINGTON, DC 200055701

EXAMINER

HAVAN, THU THAO

ART UNIT

CLASS-SUBCLASS

2672

345-670000

DATE MAILED: 12/31/2001

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/409,894	10/01/1999	KENJI TADMA	P7355-9023	6011

TITLE OF INVENTION: IMAGE INFORMATION PRESENTATION SYSTEM, IMAGE INFORMATION PRESENTATION METHOD, MEDIUM STORING  
IMAGE INFORMATION PRESENTATION SYSTEM PROGRAM, AND SIGNAL THEREFOR

TOTAL CLAIMS	APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
16	nonprovisional	NO	\$1280	\$0	\$1280	04/01/2002

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1306.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN ~~THREE MONTHS~~ FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

## HOW TO REPLY TO THIS NOTICE: \*

I. Review the SMALL ENTITY status shown above. If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status; or  
B. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

- ☐ Applicant claims SMALL ENTITY status.  
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

EXHIBIT B

## PART B - FEE(S) TRANSMITTAL

Complete and mail this form, together with applicable fee(s), to:

## Box ISSUE FEE

Assistant Commissioner for Patents  
Washington, D.C. 20231

**MAILING INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

7590

12/31/2001

NIKAIDO MARMELSTEIN MURRAY & ORAM  
METROPOLITAN SQUARE  
655 FIFTEENTH STREET N W  
SUITE 330-G STREET LOBBY  
WASHINGTON, DC 200055701

Note: The certificate of mailing below can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing.

## Certificate of Mailing

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Box Issue Fee address above on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/409,894	10/01/1999	KENJI TAMA	P7355-9023	6011

TITLE OF INVENTION: IMAGE INFORMATION PRESENTATION SYSTEM, IMAGE INFORMATION PRESENTATION METHOD, MEDIUM STORING  
IMAGE INFORMATION PRESENTATION SYSTEM PROGRAM, AND SIGNAL THEREFOR

TOTAL CLAIMS	APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
16	nonprovisional	NO	\$1280	\$0	\$1280	04/01/2002

EXAMINER	ART UNIT	CLASS-SUBCLASS
HAVAN, THU THAO	2672	345-670000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). Use of PTO form(s) and Customer Number are recommended, but not required.

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47) attached.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1. \_\_\_\_\_  
2. \_\_\_\_\_  
3. \_\_\_\_\_

## 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) ☐ individual ☐ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

☐ Issue Fee☐ Publication Fee☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s):

☐ A check in the amount of the fee(s) is enclosed.☐ Payment by credit card. Form PTO-2036 is attached.☐ The Commissioner is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

The COMMISSIONER OF PATENTS AND TRADEMARKS is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

(Date)

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending on the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, United States Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES AND THIS FORM TO: Box Issue Fee, Assistant Commissioner for Patents, Washington, D.C. 20231

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMIT THIS FORM WITH FEE(S)

PTOL-85 (REV. 07-01) Approved for use through 01/31/2004. OMB 0651-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
 Washington, D.C. 20514  
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/409,894	10/01/1999	KENJI TAJIMA	P7355-9023	6011

7590 12/31/2001

NIKAIDO MARMELESTEIN MURRAY & ORAM  
 METROPOLITAN SQUARE  
 655 FIFTEENTH STREET N W  
 SUITE 330-G STREET LOBBY  
 WASHINGTON, DC 200055701

EXAMINER

HAVAN, THU THAO

ART UNIT

PAPER NUMBER

2672

DATE MAILED: 12/31/2001

**Determination of Patent Term Extension under 35 U.S.C. 154 (b)**  
 (application filed after June 7, 1995 but prior to May 29, 2000)

The patent term extension is 0 days. Any patent to issue from the above identified application will include an indication of the 0 day extension on the front page.

If a continued prosecution application (CPA) was filed in the above-identified application, the filing date that determines patent term extension is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system. (<http://pair.uspto.gov>)

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	09/409,894	TAIMA ET AL	
	Examiner	Art Unit	
	Thu-Thao Haven	2672	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**  
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment on 11/19/01.
2. ☒ The allowed claim(s) is/are 1-16.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**


7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☒ CORRECTED DRAWINGS must be submitted.
  - (a) ☐ Including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
  - (b) ☒ Including changes required by the proposed drawing correction filed 19 November 2001, which has been approved by the Examiner.
  - (c) ☐ Including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.94(c)) should be written on the drawings in the top margin (not the back) of each sheet. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1 <input type="checkbox"/> Notice of References Cited (PTO-892) 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____ 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material	2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ 6 <input type="checkbox"/> Examiner's Amendment/Comment 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9 <input type="checkbox"/> Other
--	---

  
**MATTHEW LUU**  
**PRIMARY EXAMINER**

Application/Control Number: 09/409,894  
Art Unit: 2672

Page 2

## **DETAILED ACTION**

### ***Drawings***

The application having been allowed, formal drawings are required in response to this Office Action.

### **Allowable Subject Matter**

The following is an examiner's statement of reasons for allowance: The present invention relates in general to image presentation system presenting still and moving images. The closest prior art, Niblack (US Patent No. 6,181,342) and Fraser (US Patent No. 5,729,252) teach a similar system, which also deals with visual display of images in video image files. Niblack teaches visual summaries of still images in a presentation slide to quickly identifying document content. On the other hand, Fraser discloses moving images in a video presentation. Both, Niblack and Fraser fail to teach the steps of (1) a still image reduction section, if the determination section determines that the image information is a still image, for performing processing for producing reduced display of the image and (2) a moving image reduction section, if the determination section determines that the image information is a moving image, for performing processing for producing reduced display of the image and driving the moving image in this state. Furthermore, Niblack and Fraser fail to disclose or suggest a computer data signal embodied in a carrier wave for executing an image information presentation system comprising the first step of listing from material storage means for storing image information including a still image and a moving image. The Examiner

Application/Control Number: 09/409,894  
Art Unit: 2672

Page 3

searching the above limitations, in combination with the other elements of the claims, were not disclosed by, would not have been obvious over, nor would have been fairly suggested by the prior art of record. The dependent claims being further limiting to the independent claim, definite, and enabled by the Specification are also allowable. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Inquiries***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ms. Thu-Thao Havan whose telephone number is (703) 308-7062. The examiner can normally be reached on Monday to Thursday from 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on (703) 305-4713.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Application/Control Number: 09/409,894

Page 4

Art Unit: 2672

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

December 28, 2001

TTH



MATTHEW LUU  
PRIMARY EXAMINER

## Drosos, Margaret

---

From: Drosos, Margaret  
Sent: Thursday, May 31, 2001 11:35 AM  
To: 'Stacy.Fuller@USPTO.GOV'  
Subject: RE: Error Report for Customer Number 04372



04372Cusno.xls

Here it is. I hope I marked it appropriately so that it is clear.

-----Original Message-----

From: Stacy.Fuller@USPTO.GOV [mailto:Stacy.Fuller@USPTO.GOV]  
Sent: Wednesday, May 30, 2001 9:35 AM  
To: DrososM@ARENTFOX.COM  
Subject: RE: Error Report for Customer Number 04372

Attached is the original error report. This is a new process for all of us and we'll get it figured out eventually.

Thank you very much for your assistance and you should have access to your files in PAIR by the beginning of next week.

Thanks again,  
Stacy

-----Original Message-----

From: Fuller, Stacy  
Sent: Tuesday, May 22, 2001 1:10 PM  
To:  
Subject: Error Report for Customer Number 04372

I have received your spreadsheet to associate your applications/patents with your customer number, and there are just a few more questions. There are a few files that are currently going to a different address for correspondence and we just have to do a little preventative maintenance to be absolutely sure that you do, in fact, want to update these files to your customer number.

Please take a look at the attached spreadsheet, which lists the "questionable" applications. Once you have verified whether or not you wish to associate these applications/patents with your customer number, please mark them as such on the attached spreadsheet (i.e., yes/no) and email it back to me, or simply email me the list of applications/patents that you DO NOT wish to be associated with your customer number. Please DO NOT delete any applications from the spreadsheet.

If there are NO changes to be made, you can just email me back to let me know that it is ok to associated all files with your customer number.

<<04372Cusno\_Error(1).xls>>

**EXHIBIT C**



09511365	Nikaido, Marmelstein, Murray & Oram LLP
09613278	ROBERT B MURRAY
09012790	BURNS, DOANE, SWECKER & MATHIS, L.L.P.
09414551	CHARLES M MARMELESTEIN
90004143	JEFFREY A. LINDEMAN
08443173	JOSEPH F MURPHY
08849528	NIKAIDO MARMELESTEIN MURRAY & ORAM
09251423	NIKAIDO MARMELESTEIN MURRAY & ORAM
09424838	NIKAIDO MARMELESTEIN MURRAY & ORAM
09403772	NIKAIDO MARMELESTEIN MURRAY & ORAM
09341698	NIKAIDO MARMELESTEIN MURRAY & ORAM
09424839	NIKAIDO MARMELESTEIN MURRAY & ORAM
09266870	NIKAIDO MARMELESTEIN MURRAY & ORAM
09409894	NIKAIDO MARMELESTEIN MURRAY & ORAM
09244776	NIKAIDO MARMELESTEIN MURRAY & ORAM
08983135	NIKAIDO MARMELESTEIN MURRAY & ORAM
08919795	NIKAIDO MARMELESTEIN MURRAY & ORAM
08822152	NIKAIDO MARMELESTEIN MURRAY & ORAM
09319948	NIKAIDO MARMELESTEIN MURRAY & ORAM
09526749	NIKAIDO MARMELESTEIN MURRAY & ORAM
09786337	NIKAIDO MARMELESTEIN MURRAY & ORAM
09459885	NIKAIDO MARMELESTEIN MURRAY & ORAM
09674522	NIKAIDO MARMELESTEIN MURRAY & ORAM
09695136	NIKAIDO MARMELESTEIN MURRAY & ORAM LLP
09651057	NIKAIDO MARMELESTEIN MURRAY & ORAM LLP
09571161	NIKAIDO MARMELESTEIN MURRAY & ORAM LLP
09410057	NIKAIDO MARMELESTEIN MURRAY & ORAM LLP
09264893	NIKAIDO MARMELESTEIN MURRAY & ORAM LLP
09431229	NIKAIDO MARMELESTEIN MURRAY & ORAM LLP
09524691	NIKAIDO MARMELESTEIN MURRAY & ORAM LLP
09466831	NIKAIDO MARMELESTEIN MURRAY & ORAM LLP
09353281	NIKAIDO MARMELESTEIN MURRAY & ORAM LLP
09361855	NIKAIDO MARMELESTEIN MURRAY & ORAM LLP
09440668	NIKAIDO MARMELESTEIN MURRAY & ORAM LLP
09417762	NIKAIDO MARMELESTEIN MURRAY & ORAM LLP
09481570	Nikaido Marmelstein Murray & Oram LLP
09477830	NIKAIDO MARMELESTEIN MURRAY & ORAM LLP
09512808	Nikaido Marmelstein Murray & Oram LLP
08885831	NIKAIDO MARMELESTEIN MURRAY AND ORAM
08923334	NIKAIDO MARMELESTEIN MURRAY AND ORAM
08973096	NIKAIDO MARMELESTEIN MURRAY AND ORAM
09275433	NIKAIDO MARMELESTEIN MURRAY AND ORAM LLP
09261199	NIKAIDO MARMELESTEIN MURRAY AND ORAM LLP
09684955	NIKAIDO, MARMELESTEIN, MURRAY & ORAM LLP
09684954	NIKAIDO, MARMELESTEIN, MURRAY & ORAM LLP
09368897	NIKAIDO MARMELESTEIN MURRAY & ORAM LLP
09057479	METROPOLITAN SQUARE
60148343	NIKAIDO MARMELESTEIN
60060881	NIKAIDO MARMELESTEIN MURRAY & ORAM
09385455	NIKAIDO MARMELESTEIN MURRAY &
60091011	NIKAIDO MARMELESTEIN
09131879	NIKAIDO MARMELESTEIN MURRAY & ORAM

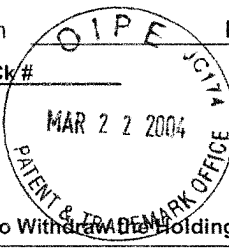
Patent ☒ Trademark ☐ Design ☐ No. 107355-09023

Serial No. 09/409,894 Filed October 1, 1999

Applicant(s) Kenji TAIMA et al

Papers filed herewith on March 22, 2004

☐ Fees \$            CK#            ☐ Assignment (w/PTO-1595 Form)  
☐ New Application ☐ Declaration  
☐ Amendment ☐ Priority Document  
☐ Notice of Appeal ☐ Req. for Ext. of Time  
☐ IDS/PTO-1449 ☐ Drawing(s)  
☒ Other Petition to Withdraw the Holding of Abandonment; Exhibit A - Computer  
Docket of July 1, 2002 (16 pgs.)



Receipt is hereby acknowledged of the papers filed as indicated in connection with the above-identified case.

CMM:mmg

COMMISSIONER OF PATENTS

74

EXHIBIT E

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Confirmation No.: **6011**

Kenji TAIMA et al

Art Unit: 2672

Application No.: 09/409,894

Examiner: Havan, Thu Thao

Filed: October 1, 1999

Attorney Docket No.: 107355-09023

For: IMAGE INFORMATION PRESENTATION SYSTEM, IMAGE  
INFORMATION PRESENTATION METHOD, MEDIUM STORING IMAGE  
INFORMATION PRESENTATION SYSTEM PROGRAM, AND SIGNAL  
THEREFOR

**PETITION TO WITHDRAW  
THE HOLDING OF ABANDONMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

March 22, 2004

Sir:

Applicants hereby petition to withdraw the holding of abandonment of the above-identified patent application. The subject application was abandoned for failure to timely pay the required Issue Fee within the statutory period of three months from the mailing date of the Notice of Allowance dated April 1, 2002. Applicants previously filed a Petition to Withdraw the Holding of Abandonment on September 10, 2002, but to date no response has been received from the Patent and Trademark Office.

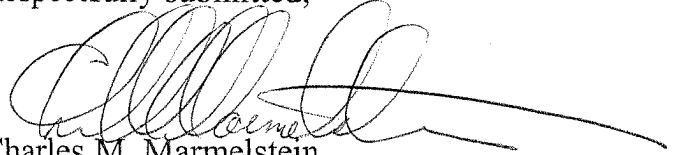
Applicants respectfully submit that the Notice of Allowance dated April 1, 2002, was never received by Applicants' undersigned representative. Applicants' undersigned representative has made a careful search of the entire file jacket for the subject application and the Notice of Allowance dated April 1, 2002, was not present. A review of the docket records also indicates that the Notice of Allowance was never received.

Submitted herewith is Exhibit A which is a copy of our computer docket sheet for July 1, 2002, which would have included an entry for the Issue Fee being due if the Notice of Allowance had been received. Our firm's typical mail handling procedure is for all mail to be docketed as soon as it is received.

In view of the evidence submitted herewith showing that the Notice of Allowance was not received by Applicants' undersigned representative prior to the expiration of the statutory period for the payment of the Issue Fee, it is respectfully submitted that the abandonment of the application is improper. Therefore, it is respectfully requested that the abandonment of the application be withdrawn and a new Notice of Allowance be sent to the undersigned.

In the event that any fees are due with respect to this paper, please charge our Deposit Account No. 01-2300.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Charles M. Marmelstein', with a long horizontal flourish extending to the right.

Charles M. Marmelstein  
Attorney for the Applicants  
Registration No. 25,895

Customer No. 004372

Arent Fox PLLC  
1050 Connecticut Avenue, NW, Suite 400  
Washington, D. C. 20036-5339  
Tel: (202) 857-6000  
Fax: (202) 638-4810

CMM:mmg

Enclosure: Exhibit A - Computer Docket of July 1, 2002 (16 pgs.)

From 7/1/2001 To 7/2/2002

Due Date	Reason for Date/ Date Type	Action Base Date	Action Type	Case Number	Country	Attorney(s)	Case Type/ Client	Application Number	Filing Date
30-Jun-2002	N/APPEAL W/EXT-2 Due Date	30-Jan-2002	US-NOT. OF APPEAL	108351-09002	US	LAB	ORD	09147699%2074	01-Apr-1999
Status: Pending									
30-Jun-2002	FINAL AMENDMENT W/EXT-2 Due Date	30-Jan-2002	US-FINAL OA (3MO)	108351-09002	US	LAB	ORD	09147699%2074	01-Apr-1999
Status: Pending									
30-Jun-2002	PETITION TO REVIVE Due Date	30-Apr-2002	US- N/ABANDONMENT (REVIVE)	108396-00000	US	MO	ORD	09509524%1547	30-Mar-2000
Status: Pending									
30-Jun-2002	STATUS-NEXT ACTION Due Date	02-Jul-2001	US-MISSING PARTS	108421-00014	US	CMM	ORD	09849590%8902	07-May-2001
Status: Published									
Remarks: REC EXE DEC & ASSGMT FRM CLT FOR FILING 8-23-01 FILED NTFMP W/ASSGMT, DEC 8-30-01									
30-Jun-2002	N/APPEAL W/EXT-2 Due Date	30-Jan-2002	US-NOT. OF APPEAL	108910-9018	US	LAB	ORD	09343238%7663	30-Jun-1999
Status: Pending									
30-Jun-2002	APPEAL BRIEF DUE (3EXT) Due Date	30-Jan-2002	US-APPEAL BRIEF	109904-00022	US	RJH	ORD	09320372%4619	26-May-1999
Status: Published									

EXHIBIT A

















From 7/1/2001 To 7/2/2002

Due Date	Reason for Date/ Date Type	Action Base Date	Action Type	Case Number	Country	Attorney(s)	Case Type/ Client	Application Number	Filing Date
01-Jul-2002	SEND LETTER Due Date Status: Pending	17-Jun-2002	ANALYSIS LETTER	107336-00008	US	BKS	ORD 107336	09668297%1933	25-Sep-2000
01-Jul-2002	SEND LETTER Due Date Status: Allowed	17-Jun-2002	ALLOWANCE LETTR	107336-00020	US	GEO	ORD 107336	09794087%3280	28-Feb-2001
01-Jul-2002	STATUS-CON/DIV (1 Day prior) Final Status: Granted	02-Jul-2002	US-ISSUE NOTIFICATION	107348-00035	US	BAT	ORD 107348	09635273%5013	09-Aug-2000
01-Jul-2002	FAX-ISSUE FEE Reminder Status: Allowed	11-Apr-2002	US-ALLOWANCE (NO DRWGS)	107348-00053	US	CMM	ORD 107348	09/647932	16-Oct-2000
01-Jul-2002	STATUS-CON/DIV (1 Day prior) Final Status: Allowed	02-Jul-2002	US-ISSUE NOTIFICATION	107348-00083	US	CMM	ORD 107348	09793953%5952	28-Feb-2001
01-Jul-2002	SEND LETTER Due Date Status: Allowed	07-Jun-2002	ALLOWANCE LETTR	107348-00108	US	CMM	ORD 107348	09903872%9628	13-Jul-2001

Remarks: 6/26/02 - rec'd clt instructs to pay issue fee

From 7/1/2001 To 7/2/2002

Due Date	Reason for Date/ Date Type	Action Base Date	Action Type	Case Number	Country	Attorney(s)	Case Type/ Client	Application Number	Filing Date
01-Jul-2002	SEND LETTER Due Date Status: Allowed	10-Jun-2002	ALLOWANCE LETTR	107348-00121	US	CMM	ORD 107348	09911372%5090	25-Jul-2001
01-Jul-2002	SEND LETTER Due Date Status: Allowed	07-Jun-2002	ALLOWANCE LETTR	107348-00140	US	CMM	ORD 107348	09933129%4938	21-Aug-2001
01-Jul-2002	RESPONSE DUE Due Date Status: Published	01-Apr-2002	US-3 MON. ACTION	107348-00175	US	LDA	ORD 107348	09995672%9921	29-Nov-2001
01-Jul-2002	STATUS-CON/DIV? Due Date Status: Allowed	01-Apr-2002	US-ALLOWANCE (NO DRWGS)	107348-8089	US	MO	ORD 107348	09249861%1412	16-Feb-1999
01-Jul-2002	STATUS-CON/DIV (1 Day prior) Final Status: Granted	02-Jul-2002	US-ISSUE NOTIFICATION	107348-9083	US	CMM	ORD 107348	09466831%1638	20-Dec-1999
01-Jul-2002	SEND LETTER Due Date Status: Allowed	17-Jun-2002	ALLOWANCE LETTR	107400-00029	US	RJH	ORD 107400	09864275%1248	25-May-2001















\* \* \* COMMUNICATION RESULT REPORT ( NOV. 2. 2006 8:50AM ) \* \* \*

TTI ARENT FOX, WASH. DC

FILE MODE	OPTION	ADDRESS (GROUP)	RESULT	PAGE
2725 MEMORY TX		1546#107355#09023#15712738300#	OK	2/2

REASON FOR ERROR  
E-1) HANG UP OR LINE FAIL  
E-3) NO ANSWER

E-2) BUSY  
E-4) NO FACSIMILE CONNECTION

# Facsimile

**Arent Fox**  
ATTORNEYS AT LAW

Date: November 2, 2006

Pages (including cover): 2

Attorney #: 1546

Client/Matter #: 107355-09023

**Charles M. Marmelstein**  
202.857.6008 DIRECT  
202.857.6395 FAX  
marmelstein.c@arentfox.com

**PLEASE DELIVER TO:**

Name/Company

Fax #

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U.S. Patent and Trademark Office

571-273-8300

**MESSAGE/INSTRUCTIONS**

EXHIBIT

F

Re: **Change of Correspondence Address**

U.S. Patent Appln. S.N. 09/409,894

For: IMAGE INFORMATION PRESENTATION SYSTEM,  
IMAGE INFORMATION PRESENTATION METHOD,  
MEDIUM STORING IMAGE INFORMATION

# Facsimile

**Arent Fox**  
ATTORNEYS AT LAW

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Pages (including cover): 2

Attorney #: 1546

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## MESSAGE/INSTRUCTIONS

Re: **Change of Correspondence Address**

U.S. Patent Appln. S.N. 09/409,894

For: IMAGE INFORMATION PRESENTATION SYSTEM,  
IMAGE INFORMATION PRESENTATION METHOD,  
MEDIUM STORING IMAGE INFORMATION  
PRESENTATION SYSTEM PROGRAM, AND SIGNAL  
THEREFOR

By: Kenji TAIMA et al

Our Ref: 107355-09023

## CERTIFICATE OF TRANSMISSION

I hereby certify that the attached Change of Correspondence Address is being transmitted by facsimile to the U.S. Patent and Trademark Office, facsimile number 571-273-8300 on this date of my signature.

  
Martina M. Galentine

November 2, 2006  
(Date)

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## CHANGE OF CORRESPONDENCE ADDRESS APPLICATION

Address to:  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450

Application Number	09/409,894
Filing Date	October 1, 1999
First Named Inventor	Kenji TAIMA et al
Group Art Unit	2672
Examiner Name	T. Havan
Attorney Docket Number	107355-09023

Please change the Correspondence Address for the above-identified patent application to:



The address associated with  
 Customer Number:

**004372**

**OR**



Firm or  
 Individual Name

**ARENT FOX PLLC**

Address

**1050 Connecticut Avenue, N.W.  
 Suite 400**

City

**Washington**

State

**D.C.**

Zip

**20036-5339**

Country

Telephone

**202-857-6000**

Email

**dcipdocket@arentfox.com**

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the:



Applicant/Inventor.



Assignee of record of the entire interest.  
 Statement under 37 C.F.R. 3.73(b) is enclosed (Form PTO/SB/96).



Attorney or agent of record. Registration Number: 25,895.



Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 C.F.R. 1.33(a)(1). Registration Number: \_\_\_\_\_.

Signature

Typed or  
 Printed Name

**Charles M. Marmelstein**

Date

**November 2, 2006**

Telephone

**202-857-6000**

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representatives(s) are required. Submit multiple forms if more than one signature is required, see below\*.



\*Total of 1 form(s) are submitted.

This collection of information is required by 37 C.F.R. §1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. §122 and 37 C.F.R. §1.11 and §1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 and select option 2.

TO: Auto-reply fax to 202 857 95 COMPANY:

## Auto-Reply Facsimile Transmission

Received

DEC 18 2006



TO:

Fax Sender at 202 857 6395

Arent Fox  
Fax Dept.

Fax Information

Date Received:

12/18/2006 3:37:29 PM [Eastern Standard Time]

Total Pages:

2 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received  
Cover  
Page  
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## Facsimile

Arent Fox  
ATTORNEYS AT LAW

Date: December 18, 2006

Pages (including cover): 2

Attorney #: 1546

Client/Matter #: 107355-09023

Charles M. Marmelstein  
202.857.6008 owner  
202.857.6395 fax  
marmelstein.c@arentfox.com

## PLEASE DELIVER TO:

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U.S. Patent and Trademark Office

571-273-8300

## MESSAGE/INSTRUCTIONS

Re: Change of Correspondence Address  
U.S. Patent Appl. S.N. 09/409,894  
For: IMAGE INFORMATION PRESENTATION SYSTEM,  
IMAGE INFORMATION PRESENTATION METHOD,  
MEDIUM STORING IMAGE INFORMATION  
PRESENTATION SYSTEM PROGRAM, AND SIGNAL  
THEREFOR  
By: Kenji TAIMA et al  
Our Ref: 107355-09023

## CERTIFICATE OF TRANSMISSION

I hereby certify that the attached Change of Correspondence Address is being transmitted by facsimile to the U.S. Patent and Trademark Office, facsimile number 571-273-8300 on this date of my signature.

*Martina M. Galentine*  
Martina M. Galentine

December 18, 2006  
(Date)

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Arent Fox PLLC

WASHINGTON DC NEW YORK

PAGE 1/2 RCVD AT 12/18/2006 3:37:29 PM [Eastern Standard Time] \* SVR:USPTO-EFAXF-3/4 \* DNS:2738300 \* CSID:202 857 6395 \* DURATION (min-ss):01-17"

EXHIBIT

9



\* \* \* COMMUNICATION RESULT REPORT ( DEC. 18. 2006 3:35PM ) \* \* \*

TTI

FILE MODE	OPTION	ADDRESS (GROUP)	RESULT	PAGE
1777 MEMORY TX		1546#107355#09023#15712738300#	OK	2/2

REASON FOR ERROR  
E-1) HANG UP OR LINE FAIL  
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E-2) BUSY  
E-4) NO FACSIMILE CONNECTION

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**Arent Fox**  
ATTORNEYS AT LAW

Date: December 18, 2006

Pages (including cover): 2

Attorney #: 1546

Client/Matter #: 107355-09023

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202.857.6008 DIRECT  
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For: IMAGE INFORMATION PRESENTATION SYSTEM,  
IMAGE INFORMATION PRESENTATION METHOD,  
MEDIUM STORING IMAGE INFORMATION  
PRESENTATION SYSTEM PROGRAM AND SIGNAL

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## MESSAGE/INSTRUCTIONS

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Re: **Change of Correspondence Address**

U.S. Patent Appln. S.N. 09/409,894

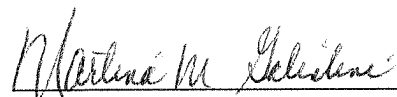
For: IMAGE INFORMATION PRESENTATION SYSTEM,  
IMAGE INFORMATION PRESENTATION METHOD,  
MEDIUM STORING IMAGE INFORMATION  
PRESENTATION SYSTEM PROGRAM, AND SIGNAL  
THEREFOR

By: Kenji TAIMA et al

Our Ref: 107355-09023

## CERTIFICATE OF TRANSMISSION

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Martina M. Galentine

December 18, 2006

(Date)

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## CHANGE OF CORRESPONDENCE ADDRESS APPLICATION

Address to:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Application Number	09/409,894
Filing Date	October 1, 1999
First Named Inventor	Kenji TAIMA et al
Group Art Unit	2672
Examiner Name	T. Havan
Attorney Docket Number	107355-09023

Please change the Correspondence Address for the above-identified patent application to:



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**OR**



Firm or  
Individual Name

**ARENT FOX PLLC**

Address

**1050 Connecticut Avenue, N.W.  
Suite 400**

City

**Washington**

State

**D.C.**

Zip

**20036-5339**

Country

Telephone

**202-857-6000**

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I am the:



Applicant/Inventor.



Assignee of record of the entire interest.  
Statement under 37 C.F.R. 3.73(b) is enclosed (Form PTO/SB/96).



Attorney or agent of record. Registration Number: 25,895.



Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 C.F.R. 1.33(a)(1). Registration Number: \_\_\_\_\_.

Signature

Typed or

Printed Name

**Charles M. Marmelstein**

Date

**December 18, 2006**

Telephone

**202-857-6000**

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representatives(s) are required. Submit multiple forms if more than one signature is required, see below\*.



\*Total of 1 form(s) are submitted.

This collection of information is required by 37 C.F.R. §1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. §122 and 37 C.F.R. §1.11 and §1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Kenji TAIMA et al

Application No.: 09/409,894

Filed: October 1, 1999

Attorney Dkt. No.: 107355-09023

For: IMAGE INFORMATION PRESENTATION SYSTEM, IMAGE INFORMATION  
PRESENTATION METHOD, MEDIUM STORAGE IMAGE INFORMATION  
PRESENTATION SYSTEM PROGRAM, AND SIGNAL THEREFOR

**DECLARATION FOR RENEWED PETITION TO REVIVE UNINTENTIONALLY  
ABANDONED PATENT APPLICATION**

Sir:

I, the undersigned, hereby declare the following:

1. I am a partner of the law firm of Arent Fox, LLP, having an office at 1050 Connecticut Avenue, N.W., Washington, D.C. 20036, and am submitting this Declaration in response to the comments in the second full paragraph on page 3 of the Decision on Petition to Revive Unintentional Abandonment under 37 C.F.R. §1.137(b) dated April 16, 2008.

2. I have been a partner at Arent Fox since January 1, 2000. From before January 1, 1999 through December 31, 1999, I was a partner of Nikaido, Marmelstein, Murray & Oram. I became a partner of Arent Fox effective immediately upon Nikaido, Marmelstein, Murray & Oram merging into Arent Fox on January 1, 2000.

3. At the time the application was filed on October 1, 1999, by virtue of a properly executed Declaration signed on September 27, 1999, I was authorized to file the application and did so. Attached as Exhibit A is a copy of the properly executed Declaration.

4. No effort was made to reply to the Notice of Allowance mailed December 31, 2001, because I never received the document. I believe the Notice of Allowance of December 31, 2001, was mailed to the wrong address, that is, the address where Nikaido, Marmelstein, Murray & Oram was located prior to moving to the address where Arent Fox is located, despite the fact that a change in the correspondence address was filed via-email on May 22, 2001.

5. The delay in the filing of this petition is not the result of a deliberate course of action (or inaction) on my part because having never received the Notice of Allowance, I never knew that the Notice of Allowance was mailed on December 31, 2001.

6. The application became abandoned while under my control because I never received the documents mailed by the Patent Office in December of 2001. As such, no efforts were made by myself to reply to the documents mailed in December of 2001 by the Patent Office. I did not direct anyone else to reply for the same reasons. Consequently, I had no conversations or correspondence with anyone outside of the attorneys of Arent Fox regarding this patent application and the abandonment thereof.

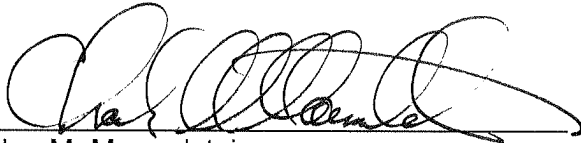
7. The first correspondence in this application subsequent to the filing of the Response on November 19, 2001, is a letter to the Japanese Associate Office for this application dated September 10, 2002, advising them that a Notice of Allowance had been issued in this application and that a Petition to Withdraw the Holding of Abandonment based upon non-receipt of the Notice of Allowance had been filed. Attached as Exhibit B is a copy of this letter.

8. Since Nikaido, Marmelstein, Murray & Oram ceased to exist as a law firm on December 31, 1999, and the application apparently became abandoned on April 2, 2002, while under the responsibility of the attorneys at Arent Fox, there is no one at Nikaido, Marmelstein, Murray & Oram who can make a statement regarding this patent application becoming abandoned.

9. I believe the person having first hand knoweldge of the circumstances surrounding the failure of the Patent and Trademark Office to properly mail documents to the correct correspondence address, despite having such information, and the patent application becoming abandoned for failure to reply to Patent and Trademark Office documents that were never received, is myself.

10. I affirm the statements made in the paragraphs numbered 1 – 8 in the concurrently filed Renewed Petition Under 37 C.F.R. 1.137(b).

11. The undersigned Declarant does hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Charles M. Marmelstein  
Registration Number: 25,895

Date: 6/16/08

Enclosures: Exhibit A      Declaration executed by inventors  
                 Exhibit B      Letter of September 10, 2002

# Declaration For U.S. Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

names are listed below) of the subject matter which is claimed and for which a patent is sought or for the invention entitled  
(Insert Title) IMAGE INFORMATION PRESENTATION SYSTEM, IMAGE INFORMATION PRESENTATION  
METHOD, MEDIUM STORING IMAGE INFORMATION PRESENTATION SYSTEM PROGRAM, AND SIGNAL THEREFOR  
the specification of which is attached hereto unless the following box is checked:

☐ was filed on \_\_\_\_\_ as PCT International Application  
Number \_\_\_\_\_ and was amended on \_\_\_\_\_  
and/or was filed on \_\_\_\_\_ as United States Application  
Number \_\_\_\_\_ and was amended on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International Application having a filing date before that of the application(s) for which priority is claimed:

(List prior foreign applications. See note A on back of this page)	<u>P.Hei.10-280884</u>	<u>Japan</u>	<u>02/October/1998</u>	Priority Claimed
	(Number)	(Country)	(Day/Month/Year Filed)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	<u>P.Hei.10-280885</u>	<u>Japan</u>	<u>02/October/1998</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	(Number)	(Country)	(Day/Month/Year Filed)	
	(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

(Application Number)	(Filing Date)
(Application Number)	(Filing Date)

(See Note B on back  
of this page)

☐ See attached list for additional prior foreign or provisional applications.

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or §365(c) of any PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) (U.S. or PCT) in the manner provided by the first paragraph of 35, U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.


(List prior U.S. Applications or PCT International applications designating the U.S.)	(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
	(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

And I hereby appoint as principal attorneys: David T. Nikaido, Reg. No. 22,663; Charles M. Marmelstein, Reg. No. 25,895; George E. Oram, Jr., Reg. No. 27,931; Robert B. Murray, Reg. No. 22,980; Martin S. Postman, Reg. No. 18,570; E. Marcie Emas, Reg. No. 32,131; Douglas H. Goldhush, Reg. No. 33,125; Kevin C. Brown, Reg. No. 32,402; Monica Chin Kitts, Reg. No. 36,105; Richard J. Berman, Reg. No. 39,107; King L. Wong, Reg. No. 37,500; Karen K. Costantino, Reg. No. 35,107; and James A. Poulos, III, Reg. No. 31,714.

Please direct all communications to the following address: NIKAI DO, MARMELSTEIN, MURRAY & ORAM LLP  
Metropolitan Square  
655 Fifteenth Street, N.W., Suite 330 - G Street Lobby  
Washington, D.C. 20005-5701  
(202) 638-5000 Fax: (202) 638-4810

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(See Note C  
on back of  
this page)

Full name of sole or first inventor Kenji TAIMA  
 Inventor's signature  Sept. 27, 1999  
 Residence Moriguchi-shi, Osaka, Japan Date  
 Citizenship Japan  
 Post Office Address c/o Sanyo Electric Co., Ltd., 2-5-5, Keihanondori,  
Moriguchi-shi, Osaka, Japan

Full name of second joint inventor, if any Teruhiro YAMADA  
Inventor's signature Teruhiro Yamada Sept. 27, 1999  
Residence Katano-shi, Osaka, Japan Date  
Citizenship Japan  
Post Office Address c/o Sanyo Electric Co., Ltd., 2-5-5, Keihanhondori, Moriguchi-shi,  
Osaka, Japan

Full name of third joint inventor, if any Tetsuya ENOMOTO  
Inventor's signature T. Enomoto Sept. 27, 1999  
Residence Yawata-shi, Kyoto, Japan Date  
Citizenship Japan  
Post Office Address c/o Sanyo Electric Co., Ltd., 2-5-5, Keihanhondori, Moriguchi-shi,  
Osaka, Japan

Full name of fourth joint inventor, if any Ryuhei AMANO  
Inventor's signature Ryuhei Amano Sept. 27, 1999  
Residence Hirakata-shi, Osaka, Japan Date  
Citizenship Japan  
Post Office Address c/o Sanyo Electric Co., Ltd., 2-5-5, Keihanhondori, Moriguchi-shi,  
Osaka, Japan

Full name of fifth joint inventor, if any Satoshi TAKEMOTO  
Inventor's signature Satoshi Takemoto Sept. 27, 1999  
Residence Hirakata-shi, Osaka, Japan Date  
Citizenship Japan  
Post Office Address c/o Sanyo Electric Co., Ltd., 2-5-5, Keihanhondori, Moriguchi-shi,  
Osaka, Japan

Full name of sixth joint inventor, if any \_\_\_\_\_  
Inventor's signature \_\_\_\_\_ Date  
Residence \_\_\_\_\_  
Citizenship \_\_\_\_\_  
Post Office Address \_\_\_\_\_

Full name of seventh joint inventor, if any \_\_\_\_\_  
Inventor's signature \_\_\_\_\_ Date  
Residence \_\_\_\_\_  
Citizenship \_\_\_\_\_  
Post Office Address \_\_\_\_\_

Full name of eighth joint inventor, if any \_\_\_\_\_  
Inventor's signature \_\_\_\_\_ Date  
Residence \_\_\_\_\_  
Citizenship \_\_\_\_\_  
Post Office Address \_\_\_\_\_

Full name of ninth joint inventor, if any \_\_\_\_\_  
Inventor's signature \_\_\_\_\_ Date  
Residence \_\_\_\_\_  
Citizenship \_\_\_\_\_  
Post Office Address \_\_\_\_\_



September 10, 2002

VIA FACSIMILE AND MAIL

Mr. Tetsuo Kobayashi  
NGB Corporation  
Ark Mori Building, 28F  
12-32 Akasaka 1-chome  
Minato-ku, Tokyo 107

**Charles M. Marmelstein**  
202/857-6008  
marmelsc@arentfox.com

**Reference Number**  
**107355.09023**

Re: Notice of Allowance/  
Petition to Withdraw the Holding of Abandonment  
U.S. Patent Application No.: 09/409,894  
Inventor: TAIMA et al.  
Your Ref.: S21-117182M/YAH  
Our Ref.: 107355.09023

Dear Mr. Kobayashi:

Enclosed please find a copy of a Notice of Allowance dated April 1, 2002 which we did not receive until July 15, 2002 after the expiration of the three-month statutory period. We did not receive the Notice of Allowance until July 15, 2002 due to an error by the U.S. Patent and Trademark Office in that the Notice of Allowance was mailed to the incorrect address.

Also enclosed please find a copy of our Petition to Withdraw the Holding of Abandonment. Since this is a Patent and Trademark office error, we believe that our petition will be granted.

We will keep you advised of progress in this case.

Very truly yours,

SIGNATURE ON ORIGINAL

Charles M. Marmelstein

CMM/dew

Enclosures:  
Petition to Withdraw the Holding of Abandonment  
(Attachments sent via airmail only)

EXHIBIT

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